

Application No. 10/074,356  
Amendment-After-Final dated February 21, 2005  
Reply to Final Office Action dated February 7, 2005

Remarks/Arguments

The preceding amendments and following remarks are submitted in response to the Official Action of the Examiner mailed February 7, 2005, setting a shortened statutory period for response ending May 7, 2005. Claims 1-3, 7-14, 16-24, 26-50 remain pending. Claim 6 has been canceled without prejudice by this Amendment. Reconsideration, examination and allowance of all pending claims are respectfully requested.

Applicant would like to thank the Examiner for the courtesies extended during the telephonic interview on February 10, 2005. During that interview, the claims were discussed in view of the prior art. No agreement was reached. During a subsequent interview on February 14, 2005, the Examiner indicated that this Amendment-After-Final would place all claims in condition for allowance.

As a preliminary matter, Applicant electronically filed (efiled) an IDS on August 31, 2004. However, an initialed copy of the submitted FORM-1449 was not included with the Office Action. In the Final Office Action, the Examiner indicated that the IDS dated August 31, 2004 was not present in the records of the United States Patent Office. As discussed during the February 10, 2005 interview, Applicant is providing a copy of the August 31, 2004 IDS with this Amendment-After-Final for consideration by the Examiner. *Applicant respectfully requests that the Examiner provide an initialed copy of the FORM-1449 submitted on August 31, 2004 in due course.*

As noted during the February 10, 2005 interview, Applicant respectfully disagrees with

the Examiner's rejections of the present claims. However, because we are after final, and to move this case along, Applicant has elected to amend some of the claims based on the discussions during the February 10, 2005 and February 14, 2005 interviews.

Claim 1 has been amended to recite "wherein the slot is sized so that at least part of the elongated member must be forcibly inserted into the slot and, once inserted, the side walls of the elongated carrier forcing the slit or opening of the elongated member into a closed or substantially closed position." During the February 14, 2005 interview, the Examiner indicated that this would place the claim in condition for allowance. For these and other reasons, claim 1 and dependent claims 2-3, 7-9, 35, and 39-42 are believed to be in condition for allowance. For similar as well as other reasons, independent claims 10, 11, 19, 21 and 30, and dependent claims 12-14, 16-18, 20, 36-38, and 43-50, are also believed to be in condition for allowance.

Turning now to claim 24. In paragraph 14 of the Final Office Action, the Examiner states:

Regarding the two slit defining surfaces touching one another at least over a majority of the length of the elongated carrier, the applicant is advised that the slit structure of BELL was considered equivalent to the claimed slit structure. It appears that the claimed invention would perform equally well with the slit as disclosed by BELL, since the applicant has not disclosed that having slit defining surfaces touching one another at least over a majority of the length of the elongated carrier solves any problems or is for a particular reason.

Applicant asserts that having two slit defining surfaces touching one another at least over a majority of the length of the slit may have certain advantages over that of BELL. For example, having two slit defining surfaces touching one another at least over a majority of the length of the

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slit may, for example, provide increased structural integrity/strength to the elongated member during use, provide increased protection to the elongated light source, and/or other benefits. As such, having two slit defining surfaces touching one another at least over a majority of the length of the slit is not functionally equivalent to the spaced slot of BELL. For these and other reasons, claim 24 is believed to be in condition for allowance.

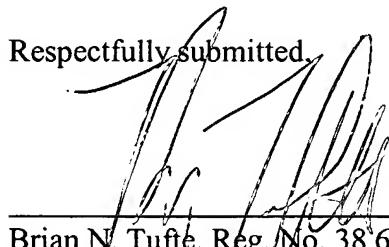
In paragraph 6 of the Final Office Action, the Examiner indicated that claims 22, 23, 26-29 and 31-34 are allowed.

Finally, claims 35-50 have been amended to positively recite structure, and therefore do not merely recite an intended use. Therefore, the structure recited therein must be given patentable weight.

In view of the foregoing, it is believed that all pending claims 1-3, 7-14, 16-24, 26-50 are in condition for allowance. Reexamination and reconsideration are respectfully requested. If the Examiner believes it would be beneficial to discuss the application or its examination in any way, please call the undersigned attorney at (612) 359-9348.

Dated: February 21, 2005

Respectfully submitted,

  
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